

His Majesties  
**LETTER**  
TO THE  
Lord Bishop  
OF  
**LONDON,**  
To be Communicated to the  
**TWO PROVINCES**  
OF  
**Canterbury and York.**



**LONDON,**  
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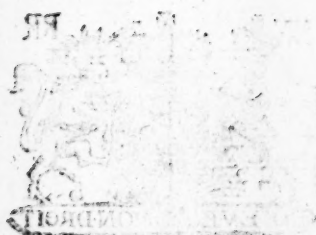
His Majesty's  
LETTER

Lord Bishop

LONDON

TWO PROVERBS

Cambridge and Boston



LONDON  
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1841

*His MAJESTIES Letter to the Right Reverend Father in GOD Henry Lord Bishop of London, to be Communicated to the Two Provinces of Canterbury and York.*

WILLIAM R.



Right Reverend Father in God, We Greet you well. Whereas the Advancement of the Honour and Service of Almighty God, and of the Protestant Religion, which by his wonderful Providence hath been Preserved and Established in these Kingdoms, ought to be the Chief Part of Our Royal Care: In Order to this, as We have oftentimes Declared, That We would take the Church of *England* by Law Established, into Our particular Protection and Favour; So We take this Occasion to Renew these Assurances, being Resolved to do all We can for the Support and Strengthening of it; Preserving withal the Liberty of Conscience to all Our other Protestant Subjects, which by Our Laws they now Enjoy.

And because the Welfare, Peace and Honour of this Church, depends so much upon all Persons faithfully doing their Duties in their several Places and Functions; We therefore First of all Charge and Require you the Bishops of this Our Church, to Apply your selves with all Diligence and Zeal to the Duties of your Episcopal Function, according to the Word of God, the Orders of this Church, and the Laws of this Our Realm.

More especially as to Ordination of Ministers, We Require you to use all possible Care and Strictness, in Examining and Enquiring into the Lives and Learning of such Persons as desire to be Admitted into Holy Orders, and herein constantly to observe the \* Canons relating thereunto, the Neglect whereof We shall strictly Enquire into, and take Care that it be Punished according to Law.

\* Can. 313  
32, 33, 34  
35, 36

We also Charge and Require you to keep a strict Watch over all the Clergy in your respective Diocesses, to see that they be duly Resident upon their Livings, according to the Laws in that Case provided; and that there they be Constant and Diligent in their Duties, performing the Publick Offices of Worship Gravely and Devoutly, Preaching the Word of God Plainly and Practically, without running into needless Controversies, and Administring the Holy Sacraments Frequently, with that Reverence which is due to the Institutions of Christ; Also Catechizing the Youth, Visiting the Sick and Distressed, and doing all such Things in their Stations as may tend to promote the Honour of God and True Religion, together with Peace and Charity among all their Neighbours; Themselves giving a good Example to their Flock, by walking before them in all holy Conversation and Godliness.



\* Can. 75.

And the more effectually to prevent the Scandals that may arise by any Disorders in the Lives of those who ought to be Examples to others, you shall Admonish them Religiously to observe the \* Canon Entitled, *Sober Conversation required in Ministers*. And you shall Severely and Impartially proceed by Ecclesiastical Censures against all such of your Clergy as shall be found guilty of any Notorious Violation of this, or any other Law or Canon relating to their Duty.

And for the better Encouragement of Deserving Men, as We intend to make it a Rule to Our Self, so We also Require it of you, in Disposing of Church Preferments, to have a Special Regard to such Persons as by their Piety, Learning, Diligence and Peaceableness, do most promote the Honour of God, and the Edification of his Church.

And because, as Our Duty requires, We most earnestly Desire, and shall Endeavour a General Reformation of the Lives and Manners of all Our Subjects, as being that which must Establish Our Throne, and Secure to Our People their Religion, Happiness and Peace, all which seem to be in great Danger at this time, by reason of that overflowing of Vice, which is too Notorious in this as well as other Neighbouring Nations; We therefore Require you to Order all the Clergy to Preach frequently against those particular Sins and Vices which are most prevailing in this Realm; And that on every of those Lords Days on which any such Sermon is to be Preach'd, they do also Read to their People such Statute-Law or Laws as are provided against that Vice or Sin which is their Subject on that Day; as namely, against \* Blasphemy, Swearing and Cursing; Against † Perjury; Against ‖ Drunkenness; and against \* Prophanation of the Lords Day: All which Statutes We have Ordered to be Printed together with these Our Letters, that so they may be Transmitted by you to every Parish within this Our Realm.

\* 21 Jac.

Cap. 20.

† 5 Eliz.

Cap. 9.

‖ 4 Jac.

Cap. 5.

21 Jac.

Cap. 7.

\* 29 Car. 2.

Cap. 7.

And whereas there is as yet no sufficient Provision by any Statute-Law for the Punishing of Adultery and Fornication, you shall therefore Require all Church-Wardens in your Diocesses, to Present impartially all those that are guilty of any such Crimes in their several Parishes; And upon such Presentments, We Require you to proceed without delay, and upon sufficient Proof, to inflict those Censures which are appointed by Our Ecclesiastical Laws against such Offenders: In doing whereof, according to your Duty, you shall not want Our effectual Assistance and Support.

And for the better Carrying on of so good a Work, We do in the last place Charge and Require you to Preach frequently your selves, to Confer often with your Clergy, and to Enquire by all proper Means into all Abuses and Corruptions in your Diocesses, in Order to a full and speedy Reformation. And all this, not only as you shall Answer it to Us, but also as Considering the great Charge that God hath Committed to you, and the Account that you must give him for it at the Great Day. And so We bid you heartily Farewel.

*Given at Our Court at Whitehall, the 13th day of February, 1639.  
In the Second Year of Our Reign.*

By His Majesties Command,  
*Shrewsbury.*



# Canons Ecclesiastical.

## MINISTERS, *their Ordination, Function and Charge.*

XXXI. •

*Four Solemn Times appointed for the Making of Ministers.*

**F**Orasmuch as the ancient Fathers of the Church, led by Example of the Apostles, appointed Prayers and Fasts to be used at the solemn Ordering of Ministers; and to that purpose allotted certain Times, in which only Sacred Orders might be given or conferred: We following their holy and religious Example, do Constitute and Decree, That no Deacons or Ministers be Made and Ordained, but only upon the Sundays immediately following *Jejunia quatuor temporum*, commonly called *Ember-Weeks*, appointed in ancient time for Prayer and Fasting, (purposely for this cause at their first Institution) and so continued at this day in the Church of England: And that this be done in the Cathedral or Parish Church where the Bishop resideth, and in the time of Divine Service, in the presence not only of the Archdeacon, but of the Dean and two Prebendaries at the least, or (if they shall happen by any lawful cause to be let or hindred) in the presence of four other Grave Persons, being Masters of Arts at the least, and allowed for publick Preachers.

XXXII.

*None to be made Deacon and Minister both in one Day.*

**T**He Office of Deacon being a step or degree to the Ministry, according to the Judgment of the ancient Fathers, and the Practice of the Primitive Church; We do ordain and appoint, That hereafter no Bishop shall make any Person, of what Qualities or Gifts soever, a Deacon and a Minister both together upon one Day; but that the Order in that behalf prescribed in the Book of Making and Consecrating Bishops, Priests and Deacons, be strictly observed. Not that always every Deacon should be kept from the Ministry for a whole Year, when the Bishop shall find good cause to the con-

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trary;

trary ; but that there being now four Times appointed in every Year for the Ordination of Deacons and Ministers, there may ever be some time of Trial of their Behaviour in the Office of Deacon, before they be admitted to the Order of Priesthood.

## XXXIII.

*The Titles of such as are to be made Ministers.*

**I**T hath been long since provided by many Decrees of the ancient Fathers, that none should be admitted either Deacon or Priest, who had not first some certain Place where he might use his Function. According to which Examples we do Ordain, That henceforth no Person shall be admitted into Sacred Orders, except he shall at that time exhibit to the Bishop of whom he desireth Imposition of Hands, a Presentation of himself to some Ecclesiastical Preferment then void in that Diocese : or shall bring to the said Bishop a true and undoubted Certificate, that either he is provided of some Church within the said Diocese, where he may attend the Cure of Souls, or of some Ministers Place vacant, either in the Cathedral Church of that Diocese, or in some other Collegiate Church therein also situate, where he may execute his Ministry : or that he is a Fellow, or in Right as a Fellow, or to be a Conductor or Chaplain in some Colledge in *Cambridge* or *Oxford* : or except he be a Master of Arts of Five years standing, that liveth of his own Charge in either of the Universities : or except by the Bishop himself, that doth Ordain him Minister, he be shortly after to be admitted either to some Benefice or Curatship then void. And if any Bishop shall admit any Person into the Ministry that hath none of these Titles, as is aforesaid, then he shall keep and maintain him with all things necessary, till he do prefer him to some Ecclesiastical Living. And if the said Bishop shall refuse so to do, he shall be Suspended by the Archbishop, being assisted with another Bishop, from giving of Orders by the space of a Year.

## XXXIV.

*The Quality of such as are to be made Ministers.*

**N**O Bishop shall henceforth admit any Person into Sacred Orders which is not of his own Diocese, except he be either of one of the Universities of this Realm, or except he shall bring Letters Dimissory (so termed) from the Bishop of whose Diocese he is, and desiring to be a Deacon, is Three and twenty years old, and to be a Priest, Four and twenty years compleat, and hath taken some Degree of School in either of the said Universities, or at the least, except he be able to yield an Accompt of his Faith in Latin, according to the Articles of Religion approved in the Synod of the Bishops and Clergy of this Realm, One thousand five hundred sixty and two, and to confirm the same by sufficient Testimonies out of the Holy Scriptures : and except moreover, he shall then exhibit Letters Testimonial of his good Life and Conversation, under the Seal of some Colledge of *Cambridge* or *Oxford*, where before he remained, or of Three or Four Grave

Grave Ministers, together with the Subscription and Testimony of other credible Persons, who have known his Life and Behaviour by the space of Three years next before.

## XXXV.

*The Examination of such as are to be made Ministers.*

**T**He Bishop before he Admit any Person to Holy Orders, shall diligently Examine him in the presence of those Ministers that shall Assist him at the Imposition of hands : And if the said Bishop have any lawful Impediment, he shall cause the said Ministers carefully to Examine every such Person so to be Ordered. Provided, that they who shall assist the Bishop in Examining and Laying on of Hands, shall be of his Cathedral Church, if they may conveniently be had, or other sufficient Preachers of the same Diocese, to the number of Three at the least : And if any Bishop or Suffragan shall admit any to Sacred Orders, who is not so Qualified and Examined as before we have ordained, the Archbishop of his Province having notice thereof, and being assisted therein by one Bishop, shall Suspend the said Bishop or Suffragan so offending, from making either Deacons or Priests for the space of Two years.

## XXXVI.

*Subscription required of such as are to be made Ministers.*

**N**O Person shall hereafter be received into the Ministry, nor either by Institution or Collation admitted to any Ecclesiastical Living, nor suffered to Preach, to Catechize, or to be a Lecturer or Reader of Divinity in either University, or in any Cathedral or Collegiate Church, City or Market-Town, Parish-Church, Chappel, or in any other place within this Realm, except he be Licensed either by the Archbishop, or by the Bishop of the Diocese, (where he is to be placed) under their Hands and Seals, or by one of the two Universities under their Seal likewise ; and except he shall first Subscribe to these three Articles following, in such manner and sort as we have here appointed.

I. That the Kings Majesty under God, is the only Supream Governour of this Realm, and of all other His Highness Dominions and Countreys, as well in all Spiritual or Ecclesiastical Things or Causes, as Temporal, and that no Foreign Prince, Person, Prelate, State or Potentate, hath or ought to have any Jurisdiction, Power, Superiority, Preheminence or Authority Ecclesiastical or Spiritual, within His Majesties said Realms, Dominions and Countreys.

II. That the Book of Common Prayer, and of Ordering of Bishops, Priests and Deacons, containeth in it nothing contrary to the Word of God, and that it may lawfully so be used, and that he himself will use the Form in the said Book prescribed in publick Prayer, and Administration of the Sacraments, and none other.

III. That he alloweth the Book of Articles of Religion agreed upon by the Archbishops and Bishops of both Provinces, and the whole Clergy



Clergy in the Convocation holden at *London* in the Year of our Lord God, One thousand five hundred sixty and two; and that he acknowledgeth all and every the Articles therein contained, being in number Nine and thirty, besides the Ratification, to be agreeable to the Word of God.

To these three Articles whosoever will Subscribe, he shall for the avoiding of all Ambiguities, Subscribe in this Order and Form of Words, setting down both his Christen and Surname, *viz. I N.N. do willingly, and ex animo Subscribe to these three Articles above mentioned, and to all things that are contained in them.* And if any Bishop shall Ordain, Admit or License any, as is aforesaid, except he first have Subscribed in Manner and Form as here we have appointed, he shall be Suspended from giving of Orders and Licences to Preach for the space of Twelve Months. But if either of the Universities shall offend therein, we leave them to the danger of the Law, and His Majesties Censure.

## LXXV.

*Sober Conversation required in Ministers.*

**N**o Ecclesiastical Person shall at any time, other then for their honest Necessities resort to any Taverns or Alehouses, neither shall they Board or Lodge in any such places. Furthermore, they shall not give themselves to any base or servile Labour, or to Drinking or Riot, spending their time idly by Day or by Night, playing at Dice, Cards or Tables, or any other unlawful Game; but at all times convenient, they shall Hear or Read somewhat of the Holy Scriptures, or shall Occupy themselves with some other honest Study or Exercise, always doing the things which shall appertain to honesty, and endeavouring to profit the Church of God, having always in Mind that they ought to Excell all others in purity of Life, and should be Examples to the People to live well and Christianly, under pain of Ecclesiastical Censures to be Inflicted with Severity, according to the qualities of their Offences.



Anno 21 Jac. I. Cap. 20.

An Act to Prevent and Reform profane Swearing and Cursing.

**F**Orasmuch as all profane Swearing and Cursing is forbidden by the Word of God, Be it therefore Enacted by the Authority of this present Parliament, That no Person or Persons shall from henceforth profanely Swear or Curse: And that if any Person or Persons shall at any time or times hereafter offend herein, either in the hearing of any Justice of Peace of the County, or of any Mayor, Justice of Peace, Bailiff, or Head Officer of any City or Town Corporate where such Offence is or shall be committed, or shall thereof be convicted by the Oaths of two Witnesses, or by Confession of the Party, before any such Justice of Peace of the County, or Head Officer, or Justice of the Peace in the City or Town Corporate where such Offence is or shall be committed, to which end every Justice of Peace, and every such Head Officer, shall have power by this Act to Minister the same Oath, That then every such Offender shall for every time so offending, forfeit and pay to the use of the Poor of that Parish where the same Offence is or shall be committed, the Sum of Twelve pence: And it shall also be lawful for the Constable, Churchwardens, and Overseers of the Poor of that Parish, by Warrant from such Justice of the Peace or Head Officer, to Levy the same Sum and Sums of Money, by Distress and Sale of the Offenders Goods, rendering to the Party the overplus: And in defect of such Distress, the Offender, if he or she be above the Age of Twelve years, shall by Warrant from such Justice of the Peace, or Head Officer, be set in the Stocks by three whole hours; but if the Offender be under the Age of Twelve years, and shall not forthwith pay the said Sum of Twelve pence, Then he or she, by Warrant of such Justice of Peace or Head Officer, shall be Whipped by the Constable, or by the Parent or Master, in his presence.

And be it further Enacted, That if any such Offender shall Commence any Suit in Law against any Officer or other, for such Distraining, Sale of Goods, Whipping, or Setting in the Stocks, the Defendant or Defendants may Plead the General Issue, and give the Special Matter in Evidence to the Jury at the Trial: And if it be found against the Plaintiff, or that the Plaintiff be Nonsuit, the Defendant or Defendants shall be allowed good Costs, to be Taxed by the Court.

Provided nevertheless, That every Offence against this Law, shall be complained of, and prosecuted, as abovesaid, within Twenty days after the Offence committed.

And it is also Enacted, That this Act shall be Read in every Parish Church by the Minister thereof, upon the Sunday after Evening Prayer, Twice in the Year.

Provided, That this Act shall continue until the end of the first Session of the next Parliament, and no longer. Continued 3 Car. 1. cap. 4. Made perpetual 16 Car. 1. cap. 4.

## Anno 5 Eliz. Cap. 9.

An Act for Punishment of such Person as shall Procure or Commit any Wilful Perjury.

**W**here in the Parliament holden at Westminster in the Two and thirtieth Year of the Reign of the late King of famous memory King Henry the Eighth, amongst other things, It was Obtained, Enacted and Established, That no Person or Persons, of what Estate, Degree or Condition soever he or they were, should from thenceforth unlawfully suborn any Witnesses or Witnesses, by Letters, Rewards, Promises, or by any other sinister Labour or Means, for to maintain any Matter or Cause, or to the disturbance or hindrance of Justice, or to the procurement or occasion of any manner of Perjury by false Overt or otherwise, in any of the Kings Courts of Chancery, the Star-Chamber, the Whitehall, or elsewhere within any of the Kings Dominions of England or Wales, or the Marches of the same, where any Person or Persons have, or from thenceforth should have Authority by Vertue of the Kings Commission, Patent or Writ, to hold Plea of Land, or to Examine, Hear or Determine any Title of Lands, or any Matter or Witnesses concerning the Title, Right or Interest of any Lands, Tenements or Hereditaments, upon pain of Forfeiture for every such Offence, Ten pound; the one Moiety thereof to be to the King, and the other to the Party that would sue for the same, as by the same Statute, amongst divers other things, more plainly it doth appear:

Since the making whereof, for that the said Penalty is so small towards the Offenders in that behalf, the said Offence of Subornation, and sinister procurement of False Witnesses, hath nevertheless greatly increased and augmented, and by reason of the wilful Perjury committed by the same suborned Witnesses, divers and sundry of the Queens Majesties Subjects have sustained Dishonour and great Impoverishment, as well of their Lands and Tenements, as also of their Goods and Chattels:

Be it therefore Enacted by our Sovereign Lady the Queen, by the Assent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority of the same, That all and every such person and persons, which at any time after the Tenth day of April next coming, shall unlawfully and corruptly procure any Witnesses or Witnesses, by Letters, Rewards, Promises, or by any other



other sinister and unlawful Labour or Means whatsoever, to commit any wilful and corrupt Perjury, in any Matter or Cause whatsoever, now depending, or which hereafter shall depend in Suit and Vantage, by any Writ, Action, Bill, Complaint or Information, in any wise touching or concerning any Lands, Tenements or Hereditaments, or any Goods, Chattels, Debts or Damages, in any of the Courts before mentioned, or in any of the Queens Majesties Courts of Record, or in any Leet, View of Frank pledge or Lawday, Ancient Demean Court, Hundred Court, Court Baron, or in the Court or Courts of the Stannery in the Countie of Devon and Cornwall; or shall likewise unlawfully and corruptly procure or suborn any Witnesses or Witnesses, which shall from and after the said Tenth day of April be Sworn to Testifie In perpetuam rei memoriam, That then every such Offender or Offenders, shall for his, hers, or their said Offence, being thereof lawfully Convicted or Attainted, lose and forfeit the Sum of Forty pounds.

And if it happen any such Offender or Offenders so being Convicted or Attainted, as aforesaid, not to have any Goods or Chattels, Lands or Tenements, to the value of Forty pounds, That then every such person so being Convicted or Attainted of any the Offences aforesaid, shall for his or their said Offence, suffer Imprisonment by the space of One half Year without Bail or Mainprize, and to stand upon the Pillory the space of One whole hour, in some Market Town next adjoining to the Place where the Offence was committed, in open Market there, or in the Market Town it self where the Offence was committed.

And that no Person or Persons being so Convicted or Attainted, to be from thenceforth received as a Witness to be Deposed and Sworn in any Court of Record within any of the Queens Highness Dominions of England, Wales, or the Marches of the same, until such time as the Judgment given against the said Person or Persons shall be Reversed by Attaint or otherwise, and that upon every such Reversal, the Parties grieved to recover his or their Damages against all and every such Person and Persons as did procure the said Judgment so Reversed to be first given against them or any of them, by Action or Actions to be Sued upon his or their Case or Cases, according to the common course of the Laws of this Realm.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons after the said Tenth day of April next coming, either by the Subornation, Unlawful Procurement, Sinister Persuasion, or Means of any other, or by their own Act, Consent or Agreement, wilfully and corruptly commit any manner of wilful Perjury, by his or their Deposition in any of the Courts before mentioned, or being Examined Ad perpetuam rei memoriam, That then every Person and Persons so offending, and being thereof duly Convicted or Attainted by the Laws of this Realm, shall for his or their said Offence, lose and forfeit Twenty pounds, and to have Imprisonment by the space of Six Months without Bail or Mainprize; And the Oath of such person or persons so offending, from thenceforth not to be received in any Court of Record within this Realm of England or Wales, or the Marches of the same, until such time as the Judgment given against the said person or persons shall be Reversed by Attaint or otherwise: And that upon every such Reversal, the Parties grieved to recover his or their Damages against all and every such person and persons as did procure the said Judgment so Reversed to be given against them or any of them, by Action or Actions to be Sued upon his or their Case or Cases, according to the course of the common Laws of this Realm.

And

And if it happen the said Offender or Offenders so Offending, not to have any Goods or Chattels to the value of Twenty pounds; that then he or they to be set on the Pillory in some Market place within the Shire, City or Borough where the said Offence shall be committed, by the Sheriff or his Ministers, if it shall fortune to be without any City or Town Corporate; And if it happen to be within any such City or Town Corporate, then by the said Head-Officer or Officers of such City or Town Corporate, or by his or their Ministers, and there to have both his Ears nailed, and from thenceforth to be discredited and disabled for ever to be Sworn in any of the Courts of Record aforesaid, until such time as the Judgment shall be Reversed, and thereupon to recover his damages in manner and form before mentioned:

The one Moiety of all which Sums of Money, Goods and Chattels to be forfeited in manner and form aforesaid, to be to the Queen our Sovereign Lady, her Heirs and Successors; and the other Moiety to such person or persons as shall be grieved, hindered or molested by reason of any the Offence or Offences before mentioned, that will Sue for the same by Action of Debt, Bill, Plaint, Information or otherwise, in any of the Queens Majesties Courts of Record, in the which no Wager of Law, Essoign, Protection or Injunction to be allowed.

And be it also Enacted by the Authority aforesaid, That as well the Judge and Judges of every of the said Courts where any such Suit is or shall be, and whereupon any such Perjury is or shall happen to be committed, as also the Justices of Assizes and Gaol delivery in their several Circuits, and the Justices of the Peace in every County within this Realm, or in Wales, at their Quarter Sessions, both within the Liberties and without, shall have full Power and Authority, by virtue hereof, to enquire of all and every the Defaults and Offences perpetrated, Committed, or done contrary to this Act, by Inquisition, Presentment, Bill or Information before them exhibited, or otherwise, lawfully to hear and determine the same, and thereupon to give Judgment, award Process, and Execution of the same, according to the Course of the Laws of this Realm.

And be it further Enacted by the Authority aforesaid, That the Justices of Assize of every Circuit within this Realm, and elsewhere within the Queens Dominions, shall in every County within their Circuits, two times in the Year, that is to say, in the time of their sittings, make open Proclamation of this Statute, or of the effect thereof, to the intent no person or persons shall be ignorant or miscontent of the Penalties therein contained.

Provided also, That this Act, nor any thing therein contained, shall not extend to any Spiritual or Ecclesiastical Court or Courts within this Realm of England or Wales, or the Marches of the same; But that all and every such Offender or Offenders as shall offend in form aforesaid, shall and may be punished by such usual and ordinary Laws as heretofore hath been, and yet is used and frequented in the said Ecclesiastical Courts; Any thing in this present Act contained to the contrary in any wise notwithstanding.

Provided also, and be it further Enacted by the Authority aforesaid, That if any person or persons, upon whom any Process out of any of the Courts of Record within this Realm or Wales, shall be served, to Testify or T-pose concerning any Cause or Matter depending in any of the same Courts, and having tendered unto him or them, according to his or their Countenance or Calling, such reasonable Sums of Money for his or their Costs and Charges, as having regard to the distance of the Places, is necessary to be allowed in that behalf, do not appear

appear according to the tenour of the said Process, having not a lawful and reasonable Let or Impediment to the contrary; that then the party in making default, to lose and forfeit for every such Offence, Ten pound, and to yield such further Recompence to the party grieved, as by the discretion of the Judge of the Court out of the which the said Process shall be awarded, according to the Loss and Vindrance that the party which procured the said Process shall sustain, by reason of the Non-appearance of the said Witness or Witnesses; the said several Sums to be Recovered by the party so grieved against the Offender or Offenders, by Action of Debt, Bill, Plaint, or Information, in any of the Queens Majesties Courts of Records, in which no Wager of Law, Essoign or Protection to be allowed.

Provided always, That this Act, or any thing therein contained, shall not extend in any wise to Restraine the Power and Authority given by Act of Parliament made in the time of King Henry the Seventh, to the Lord Chancellor of England, and others of the Kings Counsel for the time being, to Examine and Punish Riots, Routs, hainous Perjuries, and other Offences and Misemeanings; which Lord Chancellor, and others since the making of the said Act, have most commonly used to Hear and Determine such Matters in the Court of Westminster, commonly called the Star-Chamber; nor to Restraine the Power or Authority of the Lord President and Council in the Marches of Wales, or of the Lord President and Council in the North, nor of any other Judge, having absolute power to punish Perjury before the making of this Statute; But that they and every of them shall and may proceed in the punishment of all Offences heretofore punishable, in such wise as they might have done, and used to do, before the making of this Act, to all purposes, so that they set not upon the Offender or Offenders less punishment then is contained in this Act. This Act to continue unto the end of the next Parliament. Made perpetual, 29 Eliz. cap. 5.

## Anno 4 Jac. I. Cap. 5.

An Act for Repressing the odious and loathsome Sin of Drunkenness.

**W**hereas the loathsome and odious Sin of Drunkenness is of late grown into common use within this Realm, being the Root and Foundation of many other Enormous Sins, as Bloudshed, Stabbing, Murder, Swearing, Fornication, Adultery, and such like, to the great Dishonour of God, and of our Nation, the Overthrow of many good Arts and manual Trades, the Disabling of divers Workmen, and the general Impoverishing of many good Subjects, abusively Wasting the good Creatures of God:

Be it therefore Enacted by the Kings most Excellent Majesty, the Lords Spiritual and Temporal, and Commons in this present Parliament



liament Assembled, and by the Authority of the same, That all and every person or persons, which after forty days next following the end of this present Session of Parliament, shall be Drunk, and of the same Offence of Drunkenness shall be lawfully Convicted, shall for every such Offence forfeit and lose five shillings of lawful Money of England, to be paid within one week next after his, her or their Conviction thereof, to the hands of the Churchwardens of that Parish where the Offence shall be committed, who shall be accountable therefore to the use of the Poor of the same Parish: And if the said person or persons so Convicted, shall Refuse or Neglect to pay the said Forfeiture as aforesaid, then the same shall be from time to time Levied of the Goods of every such person or persons so Refusing or Neglecting to pay the same, by Warrant or Precept from the same Court, Judge or Justices before whom the same Conviction shall be: And if the Offender or Offenders be not able to pay the said Sum of five shillings, then the Offender or Offenders shall be committed to the Stocks for every Offence, there to remain by the space of six hours.

And be it further Enacted by the Authority aforesaid, That if any Constable, or any other Inferiour Officer of that Parish or place where the Offence shall be committed, to whom that shall be given in charge by the Precept of any Mayor, Bailiff, or other Head-Officer, or Justices of the Peace within their several Limits, do neglect the due Correction of the said Offender, or the due Levying of the said Penalties, where Distress may be had, then every person so Offending, shall forfeit the Sum of Ten shillings of current Money of England, to the use of the Poor of the same Parish or place where the Offence shall be committed, to be Levied by way of Distress, by any other person or persons having Warrant from any Mayor, Bailiff, or other Head-Officer, Justice of Peace, or Court where any such Conviction shall be, and to be paid to the Churchwardens as before limited, who are also to account for the same to the use aforesaid.

And be it further Enacted by the Authority aforesaid, That if any person or persons within this Realm of England, or the Dominions of Wales, shall remain or continue Drunk or Tipling in any Inn, Ale-houling-house or Ale-house, being in the same City, Town, Village or Hamlet wherein the said person or persons (so remaining Drunk or Tipling) doth dwell and inhabit at the time of such Drunking and Tipling; and the same being viewed and seen by any Mayor or other Head-Officer, Justice or Justices of Peace within their several Limits, or duly proved in such manner and form as is limited in and by one Act of Parliament made in the first Session of this present Parliament, Entituled, An Act to restrain the inordinate Haunting and Tipling in Inns, Ale-houses, and other Ale-houling-houses, unless it be in such Case or Cases as be tolerated or excepted in the said Act, That then every person or persons so offending, shall forfeit and lose for every such Offence, the Sum of Three shillings and four pence, of current Money of England, to the use of the Poor of the Parish where the said Offence shall be committed, to be Levied by way of Distress, in such manner and form as is before appointed by this Act, for the Levying of the penalty of five shillings for being Drunk: And if it happen that any Offender or Offenders against the true intent of this Clause or Branch, being thereof lawfully Convicted, be not able to pay the said Forfeiture or Forfeitures, then it shall and may be lawful for any Mayor, Bailiff, or other Head-Officer, Justice or Justices of Peace, or Court where any such Conviction shall be, to punish the said Offender or Offenders, by setting him, her or them in the Stocks for every such Offence, by the space of four hours.

For the more due Execution of this Statute, and for the better and more due proceeding against such Offenders, all offences of Drunkenness, and of Excess and unmeasurable Drinking, Be it further Enacted by the Authority of this present Parliament, That all the Offences in this Act, and in the said former Act mentioned, shall be from time to time diligently enquired of, and presented before the Justices of Assizes in their Circuit, Justices of the Peace in their quarter or ordinary Sessions, and before the Mayors, Bailiffs, or other Head-Officers of every City or Town-corporate, who have power to enquire of Trespasses, Riots, Routs, Forces, and such like Offences, and in every Court-Leet, and thereupon such due proceeding shall be against the Offender and Offenders for their due Condition in that behalf, as in such like Cases upon any Indictment or Presentment is used by the Laws of the Realm, or Customs of the City, Town or place where such Presentment or Indictment shall be enquired of and found.

And it is further Enacted by the Authority aforesaid, That if any person or persons being once lawfully Convicted of the said offence of Drunkenness, shall after that be again lawfully Convicted of the like offences of Drunkenness, That then every person and persons so secondly Convicted of the said offence of Drunkenness, shall be bounden with two Sureties to our Sovereign Lord the Kings Majesty, his Heirs and Successors, in one Recognizance or Obligation of Ten pounds, with condition to be from thenceforth of good behaviour.

Be it further Enacted by the Authority aforesaid, That all Constables, Churchwardens, Headboroughs, Tythingmen, Aleconners, and Sidemen, shall in their several Oaths incident to their several Offices, be charged in like sort to prevent the Offences contrary to this Statute.

Provided always, That this Act, or any thing therein contained, do not in any wise abridge or restrain the Ecclesiastical Power or Jurisdiction, but that all Ordinaries, and other Ecclesiastical Judges and Officers, shall and may proceed to enquire of, censure, and punish all such Offenders according to the Ecclesiastical Laws of this Realm, in such manner and form as before they lawfully might do; any thing in this Act to the contrary notwithstanding.

Provided also, That when any of the Offenders against the true intent of this Act, or any Branch or Article thereof, hath been once punished or corrected for his or her Offence, by any the ways and means before limited; That then the said Offender shall not be afterwards punished or corrected for the same offence by any other ways or means.

Provided always, That this Act, or any thing therein contained, shall not be prejudicial to either of the two Universities of this Land, but that the Chancellors, Masters and Scholars, and the Successors of them, and either of them, may as fully use and enjoy all their Jurisdictions, Rights, Privileges and Charters, as heretofore they have or might have done; any thing in this Act to the contrary notwithstanding.

Provided always, That no person or persons shall be punished, impeached, or molested for any offence mentioned in this Statute, unless he shall be for the same offence presented, indicted, or convicted within six months after such offence committed: This Act to continue until the end of the first Session of the next Parliament. Made perpetual 21 Jac. I.

# Anno 21 Jac. I. Cap. 7.

An Act for the better Repressing of Drunkenness, and restraining the inordinate haunting of Inns, Ale-houses, and other Victualling-houses.

**W**hereas one Statute, Entituled, An Act to restrain the inordinate Haunting or Cipling in Inns, Alehouses, and other Victualling-houses, made in the First Year of his Highness happy Reign of England; And another Statute, Entituled, An Act to Repress the odious and loathful Sin of Drunkenness, made in the Fourth Year of his Highness Reign of England, were made to continue to the end of the First Session of the next Parliament, and by Experience have been found good and necessary Laws, Be it therefore Enacted, That the said Statutes, with the Alterations and Additions hereafter expressed, shall be put in due Execution, and continue for ever. And whereas by the said Statutes, Proof of two Witnesses is required, Be it Enacted, That Proof of one Witness from henceforth shall be allowed and taken for sufficient in that behalf: And that the voluntary Confession (before any such Persons as by the said Act are Authorized to Minister the Oath) of any person offending either of the said Statutes, shall suffice to convince the person so offending; after such Confession, the Oath of the Party so offending, shall and may be taken, and be a sufficient Proof against any other offending at the same time.

And be it further Enacted, That if any other person or persons, wheresoever his or their Habitation or Abiding be, shall at any time hereafter be found upon view, or his own Confession, or Proof of one Witness, to be Cipling in any Inn, Alehouse or Victualling-house, such person or persons shall be from henceforth adjudged and construed to be within the said Statutes, as if he or they had inhabited and dwelt in the City, Town Corporate, Market Town, Village or Hamlet where the said Inn, Alehouse or Victualling-house is or shall be, where he or they shall be so found Cipling, and shall incur the like Penalty, and the same to be in such sort Levied and Disposed as in the said Act is expressed, concerning such as there inhabit: And the voluntary Confession of such person or persons so offending, before such as by the said Statutes are Authorized to Minister the Oath, shall suffice to convince themselves, and after such Confession, the Oath of such person or persons so Confessing, shall and may be taken by such as by the said Act have Authority to Minister an Oath, and shall be a sufficient Proof against any other offending at that time.

And be it further Enacted, That any Justice of Peace in any County, and any Justice of Peace, or other Head Officer in any City or Town Corporate within their Limits respectively, shall from henceforth have Power and Authority, upon his own View, Confession of the Party, or Proof of one Witness upon Oath before him, which he by virtue of this



this Act shall have Power to Administer, to convince any person of the Offence of Drunkenness, whereby such person so Convicted, shall incur the Forfeiture of Five shillings for every such Offence, and the same to be Levied, or the Offender otherwise punished as in the said Statute is appointed: And for the Second Offence he shall become bound to the good Behaviour, as if he had been Convicted in open Sessions; Any thing in the said former Statute made in the Fourth Year of his Majesties Reign to the contrary notwithstanding.

And be it further Enacted, That if any person being an Alehouse-keeper, or that shall at any time hereafter be an Alehouse-keeper, shall at any time hereafter be lawfully Convicted for any Offence against any the Branches of either of the said two former Statutes, according to the Alterations and Additions therein contained, or against the true meaning of this present Statute, That every person so Convicted, shall for the space of Three years next ensuing the said Conviction, be utterly disabled to keep any such Alehouse.

And whereas in the said Statute made in the Fourth Year of his said Majesties Reign, Entituled, An Act to Repress the odious and loathsome Sin of Drunkenness, Constables, Churchwardens, Headboroughs, Tythingmen, Aleconners and Sidemen, are appointed in the Daths incident to their Offices, to be likewise charged to Present the Offences contrary to the said Statute, Be it Enacted, That the said Dath shall always hereafter be also enlarged, and extend to Present all Offences done contrary to the Statute made in the first Session of Parliament holden the first Year of His Highnesss Reign, Entituled, An Act to Restrain the inordinate Haunting and Tipling in Inns and Alehouses, and other Aqualling-Houses, with the Alterations and Additions in this Act contained, made in the said Fourth Year of his said Majesties Reign, according to the Alterations and Additions of the same in this Act expressed.

## Anno 29 Car. II. Cap. 7.

An Act for the better Observation of the Lords Day, commonly called Sunday.

FOR the better Observation and keeping holy the Lords Day, commonly called Sunday, Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons in this present Parliament Assembled, and by the Authority of the same, That all the Laws Enacted, and in force concerning the Observation of the Lords Day, and repairing to the Church thereon, be carefully put in execution: And that all and every person and persons whatsoever, shall on every Lords Day apply themselves to the Observation of the same, by Exercising themselves therein in the Duties of Piety and true Religion, publicly

publickly and privately; And that no Tradesman, Artificer, Workman, Labourer, or other person whatsoever, shall do or exercise any worldly Labour, Business or Work of their ordinary Callings, upon the Lords Day, or any part thereof (Works of Necessity and Charity only excepted;) And that every person being of the Age of fourteen years or upwards, offending in the Premises, shall for every such Offence forfeit the Sum of five Shillings; And that no person or persons whatsoever, shall publickly cry, shew forth, or expose to Sale, any Wares, Merchandizes, Fruit, Herbs, Goods or Chattels whatsoever, upon the Lords Day, or any part thereof, upon pain that every person so offending, shall forfeit the same Goods so cryed, or shewed forth, or exposed to Sale.

And it is further Enacted, That no Drover, Horsecourser, Wagoner, Butcher, Higler, their or any of their Servants, shall Travel, or come into his or their Inn or Lodging upon the Lords Day, or any part thereof, upon pain that each and every such Offender shall forfeit Twenty Shillings for every such Offence; And that no person or persons shall Use, Employ or Travel upon the Lords Day, with any Boat, Wherry, Lighter or Barge, except it be upon extraordinary occasion, to be allowed by some Justice of the Peace of the County, or Head Officer, or some Justice of the Peace of the City, Borough or Town Corporate where the Fact shall be committed, upon pain that every person so offending, shall forfeit and lose the Sum of five Shillings for every such Offence. And that if any person offending in any of the Premises, shall be thereof Convicted before any Justice of the Peace of the County, or the Chief Officer or Officers, or any Justice of the Peace of or within any City, Borough or Town Corporate where the said Offences shall be committed, upon his or their Oath, or Confession of the Party, or Proof of any one or more Witnesses by Oath, (which the said Justices, Chief Officer or Officers, is by this Act Authorized to Administer) the said Justice or Chief Officer or Officers, shall give Warrant under his or their Hand and Seal, to the Constables or Churchwardens of the Parish or Parishes where such Offence shall be committed, to Seize the said Goods Cryed, Shewed forth or put to Sale, as aforesaid, and to Sell the same, and to Levy the said other Forfeitures or Penalties, by way of Distress and Sale of the Goods of every such Offender Distrained, rendering to the said Offenders the overplus of the Moneys raised thereby; and in default of such Distress, or in case of Insufficiency, or Inability of the said Offender to pay the said Forfeitures or Penalties, That then the Party offending be set publickly in the Stocks by the space of Two hours. And all and singular the Forfeitures or Penalties aforesaid, shall be employed and converted to the use of the Poor of the Parish where the said Offences shall be committed, saving only that it shall and may be lawful to and for any such Justice, Mayor, or Head Officer or Officers, out of the said Forfeitures or Penalties, to Reward any person or persons that shall Inform of any Offence against this Act, according to their Discretions, so as such Reward exceed not the Third part of the Forfeitures or Penalties.

Provided, That nothing in this Act contained, shall extend to the prohibiting of Dressing of Wheat in Families, or Dressing or Selling of Wheat in Inns, Cooks Shops or Uxwalling-houses, for such as otherwise cannot be provided, nor to the Crying or Selling of Milk before Nine of the Clock in the Morning, or after Four of the Clock in the Afternoon.

Provided also, That no person or persons shall be Impeached, Prosecuted or Molested for any Offence before mentioned in this Act, unless he or they be Prosecuted for the same within Ten days after the Offence committed.

Provided,

Provided, and be it further Enacted by the Authority aforesaid, That if any person or persons whatsoever, which shall Travel upon the Lords Day, shall be then Robbed, That no Hundred or the Inhabitants thereof, shall be Charged with, or Answerable for any Robbery so committed, but the person or persons so Robbed, shall be barred from bringing any Action for the said Robbery; Any Law to the contrary notwithstanding. Nevertheless, the Inhabitants of the Counties and Hundreds (after Notice of any such Robbery to them or some of them given, or after Hue and Cry for the same to be brought) shall make, or cause to be made, fresh Suit and Pursuit after the Offenders, with Hozemen and Footmen, according to the Statute made in the Twenty seventh Year of the Reign of Queen Elizabeth, upon pain of forfeiting to the Kings Majesty, his Heirs and Successors, as much Money as might have been recovered against the Hundred by the Party Robbed, if this Law had not been made.

Provided also, That no person or persons, upon the Lords Day, shall Serve or Execute, or cause to be Served or Executed, any Writ, Process, Warrant, Order, Judgment or Decree, (except in Cases of Treason, Felony, or Breach of the Peace) but that the Service of every such Writ, Process, Warrant, Order, Judgment or Decree, shall be void to all Intents and Purposes whatsoever: And the person or persons so Serving or Executing the same, shall be as liable to the Suit of the Party grieved, and to answer Damages to him for doing thereof, as if he or they had done the same without any Writ, Process, Warrant, Order, Judgment or Decree at all.

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